HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.22397 OF 2006

Between:

Prasad Homes Private Limited
. . .Petitioner

AND

The District Consumer Disputes
Redressal Forum, Nizamabad and others
. . .Respondents

: ORDER :

Counsel for the Petitioner : Shri M.Laxmiprasad

Dated: 30th October, 2006

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PER G.S.SINGHVI, CJ

This is a petition for restraining District Consumer Disputes Redressal Forum, Nizamabad (respondent No.1 herein) from exercising jurisdiction in Consumer Case No.42 of 2006 registered on the basis of complaint filed by respondent Nos.2 and 3 –
Shri E.Mahender Reddy and Smt. E.Sheela.

After arguing the case at length, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition with liberty to raise objection to the jurisdiction of respondent No.1 to entertain the complaint filed by respondent Nos.2 and 3. He also made a request that the Court may direct respondent No.1 to decide the objection regarding jurisdiction.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made. If the petitioner raises an objection to the maintainability of the complaint filed by respondent Nos.2 and 3, then the District Forum shall objectively consider and decide the same by recording reasons.

As a sequel to dismissal of the main petition, W.P.M.P.No.28446 of 2006 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

Date: 30.10.2006

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